



Attorney Docket No.: 60188-518
PATENT

#7
3-15-04
P.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Satoshi KONDO : Customer No.20277
Serial No.: 09/719,051 : Confirmation No.: 3424
Filed: December 7, 2000 : Group Art Unit: 2613
Examiner: GEORGE A. BUGG
For: IMAGE PROCESSING METHOD AND IMAGE PROCESSING APPARATUS

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Non-Fee Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2600

Sir:

In response to the restriction requirement set forth in the Office Action mailed February 9, 2004, having a shortened statutory period for response set to expire March 9, 2004, wherein the Examiner required restriction between the following *Species* groups:

- | | | |
|-----------|---|--|
| Group I | - | Claims 1-16, drawn to Figure 1, which is a decoder with resolution conversion; |
| Group II | - | Claims 17-30, drawn to Figure 8, which is a decoder with resolution conversion; |
| Group III | - | Claims 31-46, drawn to Figure 13, which is a decoder with resolution conversion; |
| Group IV | - | Claims 47-56, drawn to Figure 16, which is a decoder with resolution conversion; and |

Group V - Claims 57-60, drawn to Figure 19, which is also a decoder with resolution conversion.

Applicants elect with traverse, Group III, with claims 31-46 readable thereon, for initial prosecution on the merits.

Applicants respectfully submit that Group III and Group IV (i.e., claims 31-56) are suitable for concurrent examination in the above-identified application. Similar to the Group III claims, Group IV claims are also directed to (a) decoding a first encoded stream of an original video signal with a first resolution; (b) extracting first information (i.e., an encoding parameter or a motion vector) from the encoded stream; (c) converting the original video signal decoded into a new video signal with a second resolution; (d) obtaining second information (i.e., an encoding parameter or a motion vector) based on the first information; and (e) encoding the new video signal using the second information. As both groups of claims have the foregoing subject matter in common, it is respectfully submitted that examination of both Group III and IV is proper in the given application. Accordingly, it is respectfully submitted that the restriction requirement be modified such that claims 31-56 are considered a single group.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this


communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: 3/9/04

By:



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